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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Simon A. J. Holdsworth

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EXAMINER

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ART UNIT

PAPER NUMBER

2143

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Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20061013

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Commissioner for Patents

The reply brief filed on October 10, 2006, has been entered and considered, but no further response by the examiner is deemed necessary. The application has been forwarded to the Board of Patent Appeals and Interference for decision on the appeal.

Appellant further brings up that the Examiner has failed to comment on Appellants arguments on page 7 of the Brief, stating that the Examiner has failed to address the arguments presented regarding the means for selecting being independent. As stated before, Appellant's argument is directed to the modification of Owens, not necessarily to the selection means being independent, and, as shown in the Non-Final Rejection dated December 14, 2006, Owens would not be changed insofar as it would change the principle of operation of the reference. It still filters messages, merely changes how the message filtering is done. The filtering is actually done. Therefore the modification would not change the scope of the reference.

As to the point about the references not teaching the separate message selection, it must be understood that Owens does, in fact, teach that the message filtering selection is done independent of the publish and subscribe applications. As shown before, Owens' message sender 34 can be construed as the publishing application and Owens' message receiver 24 can be construed as the subscriber application program (or the computing applications they use to send/receive the messages). Everything inbetween the publisher and subscribers can be construed as "separate" because they are not part of either of the publisher and the sender (i.e. the CompuServe and Premiere Services are not "part" of the sender/receiver, they are their own independent systems and can function without the sender or receiver being logged on and conducting communications over the network). This clearly shows that the means for selecting a message filter policy (i.e. the "universal mailbox" as shown in Figures 2-3 actually do the forwarding based on the type of message), although defined by a user, is actually selected by the system. By this rationale, the rejection should be maintained.


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